

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/786,171 Confirmation No.: 9141
First Named Inventor : Robert FROST
Filed : February 26, 2004
TC/A.U. : 1744
Examiner : Kevin Joyner

Docket No. : 029082.53185US
Customer No. : 23911

Title : Process for Operating a Packaging Transport
System

**PETITION TO RESET PERIOD FOR REPLY DUE TO NON-RECEIPT OF
NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the period for reply to the Notice of Non-Compliant Amendment mailed on December 5, 2007, be reset. Resetting of the period for reply pursuant to M.P.E.P. § 711.03 is appropriate because this Notice of Non-Compliant Amendment was never received by Crowell & Moring, whose correspondence address is the mailing address of record in this application.

Attached to this petition is a Declaration by Ms. Tanya Che, manager of the Docketing Department of Crowell & Moring LLP. The attached petition includes exhibits that contain confidential information not relevant to this application, and accordingly the confidential information has been redacted. The undersigned's personal knowledge of the relevant facts is as follows:

1. On May 20, 2008, the undersigned's assistant, Ms. Gayle Morris, was reviewing the undersigned's docket, which included a status check due on May 20, 2008, in the above-identified application.

2. Ms. Morris accessed USPTO's PAIR system to determine the status of the above-identified application. Ms. Morris discovered that the PAIR system indicated that a Notice of Non-Compliant Amendment had been mailed on December 5, 2007.

3. Ms. Morris was informed by the Crowell & Moring Docketing Department that this Notice had not been received and entered into Crowell & Moring's docketing software.

4. Ms. Che informed the undersigned of the facts set forth in the attached Declaration. Specifically, Ms. Che informed the undersigned that if the Notice had been received by Crowell & Moring on or after December 5, 2007, it would have been entered in the docketing system. For example, if the Notice had been received on December 6, 2007, it would have been entered on December 7 or December 8, 2007. Ms. Che provided the undersigned with a report that listed all matters docketed on December 7 or December 8, 2007, and the above-identified matter was not listed as having a docketed action. Further, there is no record of receipt and docket entry of the Notice on any date following December 5, 2007.

Based on the forgoing, it is the belief of the undersigned that this Notice was not received by Crowell & Moring. Accordingly, the undersigned

respectfully requests that the date of notice of the outstanding Notice of December 5, 2007, be re-dated and the outstanding period of response runs from the new date.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029082.53185US).

July 11, 2008

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Mark H. Neblett", written over a horizontal line.

Jeffrey D. Sanok
Registration No. 32,169
Mark H. Neblett
Registration No. 42,028

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